

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the 19th day of February, 2002:

<u>Present</u>	<u>Vote</u>
Donald E. Wiggins, Chairman	Yea
Walter C. Zaremba, Vice Chairman	Yea
Sheila S. Noll	Yea
James S. Burgett	Yea
Thomas G. Shepperd, Jr.	Yea

On motion of Mr. Zaremba, which carried 5:0, the following resolution was adopted:

RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A GOLF DRIVING RANGE, MINIATURE GOLF, AND BATTING CAGES ON LIGHTFOOT ROAD

WHEREAS, Rick Newburg, d/b/a Ranger Rick's Driving Range, has submitted Application No. UP-587-02, which requests a special use permit pursuant to Section 24.1-306 (Category 9, No. 8 and No. 9) of the York County Zoning Ordinance to authorize the establishment of a golf driving range, miniature golf, and batting cages on an 11.3-acre portion of a 100.5-acre parcel located at 301 Lightfoot Road and further identified as Assessor's Parcel No. 2-17; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the comments of the public with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 19th day of February, 2002, that Application No. UP-587-02 be, and it is hereby, approved subject to the following conditions:

1. This use permit shall authorize construction of a golf driving range, miniature golf course, and batting cages on an 11.3-acre portion of a 100.5-acre parcel of land located at 301 Lightfoot Road and further identified as Assessor's Parcel No. 2-17.
2. A site plan, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance, shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any land disturbing or construction activity for this development. Said site plan shall be in substantial conformance with the concept plan titled Ranger Rick's Driving Range, prepared by AES, Consulting Engineers, and dated November 1, 2001.
3. The golf course shall be developed and operated in accordance with the standards set forth in Section 24.1-454, *Standards for all recreation and amusement uses*; Section 24.1-458, *Standards for miniature golf, waterslide, skateboard rink, baseball hitting range, golf driving range, and other outdoor commercial amusements*. The one hundred-foot (100') separation buffer required under these standards may be reduced to a minimum of twenty-five (25), provided, however, that buildings or parking areas developed in the future on any portion of the parent tract (i.e., the remainder of the parcel owned by the Williamsburg Pottery Factory, Inc.) shall be a minimum of fifty (50) feet from the driving range perimeter. The portion of the buffer adjoining the Pettitt parcel to the west shall be landscaped in accordance with the following standards prior to the issuance of a Certificate of Occupancy for the business. Landscaping of the remainder of the buffer may be deferred until the adjoining property is proposed for development and then shall be installed within ninety (90) days of the issuance of a building permit for construction on said adjoining property. Said buffer shall be landscaped to achieve the following ratios, at a minimum:
 - One large evergreen tree (ultimate height greater than or equal to 40') for every thirty (30) linear feet measured along the outside edge of the buffer, plus
 - One medium evergreen tree (ultimate height 20' - 40' for every twenty-five (25) linear feet measured along the outside edge of the buffer.
4. A right turn taper into the development, designed in accordance with the standards of the Virginia Department of Transportation (VDOT), shall be constructed westbound on Lightfoot Road.

5. The applicant shall be responsible for installing any additional on- or off-site improvements recommended by the Virginia Department of Transportation (VDOT).
6. The topographical relief associated with the final construction of the miniature golf course shall be no greater than four feet (4') above the existing grade.
7. The proposed snack bar shall be operated as an accessory and incidental service for customers of the amusement facility and shall not be designed to cater to the general public unless off-street parking is provided at the ratios normally required by the Zoning Ordinance for free-standing restaurant uses.
8. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this special use permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

A Copy Teste:

Mary E. Simmons
Deputy Clerk